

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Akihiko NISHIO et al. Art Unit 2617  
Appln. No.: 10/568,672 Exr. N. Huynh  
Filed: February 17, 2006 Conf. No. 2716  
For: RADIO COMMUNICATION APPARATUS AND SUBCARRIER  
ASSIGNMENT METHOD

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Alexandria, VA 22313

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. Attached are English translations of the Non-Patent Literature documents Y. Hara, et al., "MC-CDM System for Packet Communications Using Frequency Scheduling," and Y. Hara, et al., "Frame Configuration and Control Scheme in MC-CDM Systems with Frequency Scheduling," which were filed in the Information Disclosure Statement of November 5, 2009. It is noted that PAIR contains copies of these Non-Patent Literature documents, as well as a copy of the Information Disclosure Statement of November 5, 2009.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

If any fee is due, it may be charged to deposit account no. 04-1061.

Respectfully submitted,

/James Edward Ledbetter/

Date: June 10, 2010

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